

SUPPLEMENTAL HOT WATER WELL AGREEMENT
AND EASEMENT

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THIS AGREEMENT, made and entered into by and between WILLIAM R. DODGE and NANCY E. DODGE, husband and wife, and LARRY L. TODD and ASTRID E. TODD, husband and wife, hereinafter called Grantors and WILLIAM E. ZLOMKE and DARLENE ZLOMKE, husband and wife, hereinafter called Grantees,

W I T N E S S E T H:

WHEREAS, WILLIAM E. ZLOMKE and DARLENE ZLOMKE, husband and wife, are the successors in interest to RICHARD P. SUMNER and MARCIA R. SUMNER, husband and wife, the First Party in that certain Hot Well Water Agreement, dated the 21st day of March, 1978 and recorded on April 14, 1978 in Volume M78, page 7284, Klamath County Deed Records, by and between RICHARD P. SUMNER and MARCIA R. SUMNER, husband and wife, therein called First Party; WILLIAM R. DODGE and NANCY E. DODGE, husband and wife, therein called Second Parties; and STEVEN B. PRESLAR and JUDY PRESLAR, husband and wife, therein called Third Parties, which said Agreement did not provide Grantees with an easement for ingress and egress for purposes of maintaining the pipe, well and heating system from the location of the said well, which is located on the Northwesterly corner of the alley vacated by the City of Klamath Falls, Oregon, by ordinance No. 5376, located on a portion of Lot 15, Block 40, HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, across a strip of land one foot wide, the center line of said strip beginning at the said well and extending in a Northeasterly direction over and across the real property owned by LARRY L. TODD and ASTRID E. TODD, husband and wife, described as follows:

Lots 7 and 8, Block 40, HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of

Oregon, EXCEPTING THEREFROM, that portion described as follows:

Beginning at the Northwest corner of said Lot 8, Block 40; thence North 68 degrees 46 minutes East 10 feet to the true point of beginning; thence North 68 degrees 46 minutes East 89.70 feet; thence Southeasterly 80 feet; thence Southwesterly 89.70 feet; thence North 21 degrees 14 minutes West 80.00 feet to the point of beginning.

to the property of Grantees, which is described as follows:

A portion of Lots 7 and 8, Block 40, HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at the Northwest corner of said Lot 8, Block 40; thence North 68 degrees 46 minutes East 10 feet to the true point of beginning; thence North 68 degrees 46 minutes East 89.70 feet; thence Southeasterly 80 feet; thence Southwesterly 89.70 feet; thence North 21 degrees 14 minutes West 80.00 feet to the point of beginning.

NOW, THEREFORE, we the undersigned being the owners of the foregoing described parcels of property hereby grant to the Grantees, their heirs, successors and assigns a perpetual easement to lay and construct pipes for the purpose of conducting hot water to the above described real property owned by Grantees together with the right of ingress and egress for the purpose of maintaining the pipe, well, and heating system over and across the property owned by the undersigned Grantors.

This easement shall be appurtenant to the property of Grantees and shall be for the use and benefit of Grantees property.

IN WITNESS WHEREOF, the parties have executed this agreement this 7th day of December, 1979.

William R. Dodge
WILLIAM R. DODGE

Nancy E. Dodge
NANCY E. DODGE

x Larry L. Todd
LARRY L. TODD

x Astrid E. Todd
ASTRID E. TODD

GRANTORS

William E. Zlomke
WILLIAM E. ZLOMKE

Darlene Zlomke
DARLENE ZLOMKE

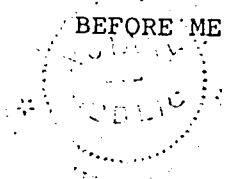
GRANTEES

STATE OF OREGON)
) ss.
County of Klamath)

28934

Personally appeared the above-named WILLIAM R. DODGE and NANCY E. DODGE, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



Robert D. Brown
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/4/80

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared WILLIAM E. ZLOMKE and DARLENE ZLOMKE, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Susan Kay Wray
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6/4/81

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared LARRY L. TODD and ASTRID E. TODD, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



Robert D. Brown
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/4/80

AFTER RECORDING RETURN TO:

Mr. and Mrs. William E. Zlomke
1042 Newcastle Street
Klamath Falls, Oregon 97601.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.

this 17th day of December A. D. 1979 at 3:20 o'clock P. M.

fully recorded in Vol. 479, of Deeds, on Page 28932

Wm. D. MILNE, County Clerk

Fee \$10.50 By *Donna A. Kelch*

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